

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Ramey et al.

Examiner: John J. Kreck

Serial No.: 10/619,397

Group Art Unit: 3673

Filed: July 14, 2003

Docket: 40217.0001USC1

Confirmation 7673

No.

Title: SODIUM CARBONATE AND SODIUM BICARBONATE PRODUCTION
FROM NAHCOLITIC OIL SHALE

CERTIFICATE UNDER 37 CFR 1.10:

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service, mailing label EV199953590US under 37 CFR 1.10 on July 22, 2004, addressed to Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

By:

Paula Egolf
Paula Egolf

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TERMINAL DISCLAIMER

Dear Sir:

1. The Terminal Disclaimer is executed by counsel of record for American Soda, LLP and is empowered to act on its behalf.
2. American Soda, LLP is the owner of the entire right, title and interest in: (a) the above-identified patent application and (b) U.S. Patent No. 6,609,761, issued on August 26, 2003 (the "761 Patent"). The assignment of the present invention from the inventors to American Soda LLP was previously submitted and recorded with the Patent Office and is reflected on the first page of the '761 Patent. By that assignment the inventors also assigned any continuation

applications, such as this one, to American Soda, LLP. For the convenience of the Examiner, a copy of the Assignment is attached hereto as Exhibit A.

3. American Soda, LLP disclaims the term of any patent issued on the present application that would extend beyond the term of the '761 Patent.

4. American Soda LLP agrees that any patent granted on the present application shall be enforceable only for and during such period that said patent is commonly owned with the '761 Patent. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and assigns

5. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of the '761 Patent in the event that the '761 Patent: (a) later expires for failure to pay a maintenance fee; (b) is held unenforceable; (c) is found invalid by a court of competent jurisdiction; (d) is statutorily disclaimed in whole or is terminally disclaimed under 37 CFR 1.321; (e) has all claims canceled by a reexamination certificate; (f) is reissued; or (g) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

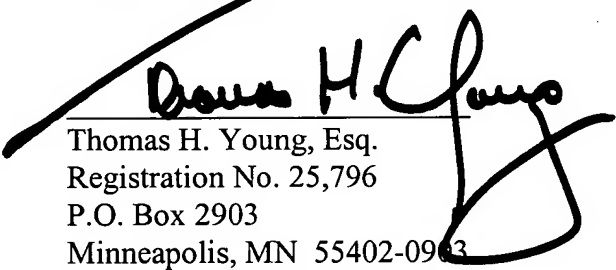
6. This Terminal Disclaimer is binding upon American Soda, LLP and its successors or assigns.

Patent Application Serial No. 10/619,397

7. Submitted concurrently herewith is the fee in the amount of \$110.00 as specified in 37 C.F.R. § 1.20(d).

Respectfully submitted this 22nd day of July 2004.

MERCHANT & GOULD PC



Thomas H. Young, Esq.
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Attorneys for Applicant

PATENT
Serial No.: 09/480,092
Attorney Docket No. 4915.02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:	Max E. Ramey, et al.)	
)	
Serial No.:	09/480,092)	Examiner:
)	
Filed:	January 10, 2000)	Art Unit: 3673
)	
For:	SODIUM CARBONATE AND)	
	SODIUM BICARBONATE)	
	PRODUCTION FROM)	
	NAHCOLITIC OIL SHALE)	

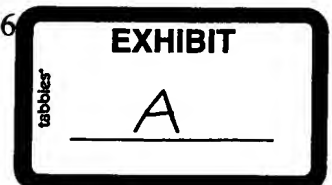
ASSIGNMENT OF INVENTION

Box MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

WHEREAS, the below-named inventors ("Assignors") have invented and own a certain invention entitled: "SODIUM CARBONATE AND SODIUM BICARBONATE PRODUCTION FROM NAHCOLITIC OIL SHALE" (Attorney Docket No. 4915.02) for which application for letters patent has been executed on January 10, 2000:

1. Max E. Ramey, 515 East 11th Street, Rifle, CO 81650
2. John S. McEwan, 0080 Juniper Lane, Parachute, CO 81635
3. Kevin L. Green, 0016 Holly Way, Parachute, CO 81635
4. Charles L. Yates, 0525 Ponderosa Circle, Parachute, CO 81635
5. Allan L. Turner, 1476 S. Lee Court, Lakewood, CO 80232
6. Michael A. Rockendal, 4151 Creekpoint Court, Danville, CA 94506



PATENT

Serial No.: 09/480,092

Attorney Docket No. 4915.02

7. Irvin P. Nielsen, 213 East 5th Street, Rifle, Colorado 81650
8. Michael P. Hardy, 783 25-3/4 Road, Grand Junction, CO 81505
9. Rex Goodrich, 2338 Monument Road, Grand Junction, CO 81503

WHEREAS, American Soda, LLP, a Colorado limited liability corporation having offices at 2717 County Road 215, Parachute, Colorado 81635 (the "Assignee") desires to acquire the entire interest in, to and under the invention described in the application (the "Invention") and any Letters Patent or other legal protection to be obtained therefor in the United States or any foreign country.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, Assignors hereby sell, assign and transfer to Assignee the full and exclusive right, title and interest to said Invention in the United States and its territorial possessions and in all foreign countries and to all Letters Patent to be obtained for said Invention as a result of the patent application or any continuation, continuation-in-part, division, renewal, substitute or reissue thereof or any legal equivalent thereof in a foreign country (the "Letters Patent") for the full term or terms for which the same may be granted.

Assignors hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this Assignment.

Assignors further covenant that the Assignee will, upon its request, be provided promptly with all pertinent facts and documents relating to the application, the Invention and the Letters Patent as may be known and accessible to Assignor and will testify as to the same in any interference or litigation related thereto and will promptly execute and deliver to Assignee or its legal representative any and all Assignment papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce the application, the Invention and the Letters Patent which may be necessary or desirable to assist Assignee in the perfection and fulfillment of its rights under this Assignment.

IN WITNESS WHEREOF, Assignors have executed this Assignment on the date indicated below.

Max E. Ramey
Max E. Ramey

STATE OF COLORADO)
COUNTY OF Garfield) ss:
)

Subscribed and sworn to before me by Max E. Ramey on the 8th day of May, 2000.

[SEAL]

Larita K. Eddy
Notary Public

My Commission expires: 11-01-2002

John S. McEwan
John S. McEwan

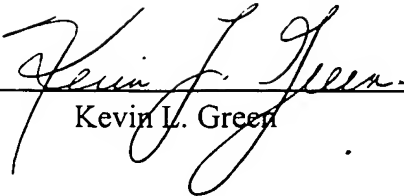
STATE OF COLORADO)
COUNTY OF Garfield) ss:
)

Subscribed and sworn to before me by John S. McEwan on the 5th day of May, 2000.

[SEAL]

Larita K. Eddy
Notary Public

My Commission expires: 11-01-2002


Kevin L. Green


STATE OF COLORADO)

COUNTY OF Garfield)

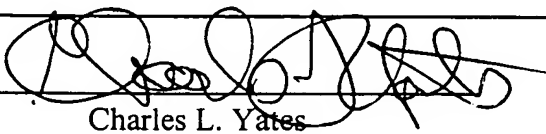
) ss:

Subscribed and sworn to before me by Kevin L. Green on the 5th day of
May, 2000.

[SEAL]


Notary Public

My Commission expires: 11-02-2002


Charles L. Yates

STATE OF COLORADO)

COUNTY OF Garfield)

) ss:

Subscribed and sworn to before me by Charles L. Yates on the 8th day of
May, 2000.

[SEAL]


Notary Public

My Commission expires: 11-02-2002

PATENT
Serial No.: 09/480,092
Attorney Docket No. 4915.02

Allan L. Turner
Allan L. Turner

STATE OF COLORADO)

COUNTY OF DENVER)

) ss:



Subscribed and sworn to before me by Allan L. Turner on the 26th day of _____, 2000.

Laurie Mayer
Notary Public

My Commission expires: 10/21/02

Michael A. Rockendal

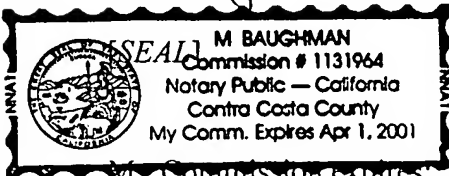
Michael A. Rockendal

STATE OF CALIFORNIA)

COUNTY OF Contra Costa)

) ss:

Subscribed and sworn to before me by Michael A. Rockendal on the 18 day of May, 2000.



My Commission expires: 4-1-2001

M. Baughman
Notary Public

PATENT
Serial No.: 09/480,092
Attorney Docket No. 4915.02

Irvin P. Nielsen
Irvin P. Nielsen

STATE OF COLORADO)

COUNTY OF Sanfield)

) ss:

Subscribed and sworn to before me by Irvin P. Nielsen on the 9th day of May, 2000.

[SEAL]

Larita K. Caddy
Notary Public

My Commission expires: 11-01-2002

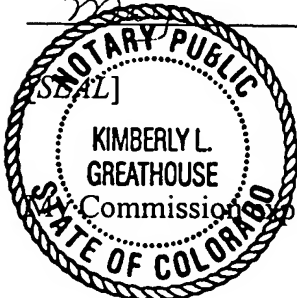
Michael P. Hardy
Michael P. Hardy

STATE OF COLORADO)

COUNTY OF Willac)

) ss:

Subscribed and sworn to before me by Michael P. Hardy on the 11th day of May, 2000.



Kimberly L. Greathouse
Notary Public

PATENT
Serial No.: 09/480,092
Attorney Docket No. 4915.02

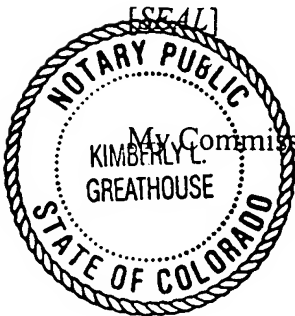
Rex Goodrich
Rex Goodrich

STATE OF COLORADO)

COUNTY OF Mesa)

) ss:

Subscribed and sworn to before me by Rex Goodrich on the 11th day of
May, 2000.



Kimberly L. Greathouse
Notary Public

My Commission expires: 3/17/2004